

1600 TYSONS BOULEVARD MCLEAN, VA 22102 703.905.2000 F: 703.905.2500

April 24, 2002

Lisa A. Kraemer Client Practice Liaison 703.905.2254 lkraemer@pillsburywinthrop.com

Tracy Bruehs, Esq. Georgetown University 4000 Reservoir Road, N.W. Building D, Suite 177 Washington, D.C. 20007

Re:

U.S. National Stage Patent Application 10/018,972 based on PCT/US01/17394; filed: December 26, 2001

Inventors: HAN et al.

Your Reference: HAMY 422003 Our Reference: 082137-0265292

Dear Tracy:

Enclosed please find a copy of the above-identified U.S. National Stage application as filed with the U.S. Receiving Office on December 26, 2001. This application was filed at the instruction of Jack Hartman and incorporates a novel compound not identified in the parent utility application, now U.S. Patent No. 6,043,276.

We have now received a copy of the Notification of Missing Requirements (enclosed herewith) requiring a newly executed Declaration and Power of Attorney. We include a Declaration, along with an Assignment, for execution by the inventors and return to us for filing with the U.S. Receiving Office. The deadline for filing these documents is May 11, 2002, which is extendible with the payment of additional fees.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

Lisa A. Kraemer

Client Practice Liaison

Enclosure

Cc: Robin L. Teskin

Confirmation Report-Memory Send

Time : Jul-09-2002 17:24

Tel line 1:

Name : PILLSBURY WINTHRP

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July 9, 2002 Must Be Sent By: Mr. Martin Mullins FHE NO:

Vice President of Technology Transfer

Georgetown University

Phone No:

202.687.3111 202.687.4567

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Date:

Confirmed By:

(703) 905-2200

STAMFORD

WASHINGTON DC

Robin L. Teskin User No: 14593

Phone No: C/M NO:

082137- 365292

Comments

Re:

U.S. National Stage Patent Application 10/018,972 based on PCT/US01/17394; filed: December 26, 2001 Inventors: HAN et al. Your Reference: HAMY 422003 Our Reference: 082137-0265292

Dear Mr. Mullins:

Attached is a fax copy of an Assignment and Declaration for the above-identified application.

Please contact us if you have any questions.

Confidentiality Note
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if you have not properly received this fax, please call (703) 905-2000. Thank you. Орегаюг, _ __Time Sent

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GEORGETOWN UNIVERSITY

The Office of Technology Transfer 4000 Reservoir Road NW Building D, Suite 177 Washington, DC 20007

> 202-687-0843 Tel. 202-687-3111 fax e-mail: ulcocora@ ucornotown edu

FACSIMILE COVER SHEET

DATE:

July 8, 2002

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TO:

Dr. Han

FAX:

410-244-0902

PHONE:

FROM:

Silvana Alcocer CL

Legal Assistant

Re:

Declaration/Power of Attorney and Assignment

COMMENTS: Attached, please find the above referenced documents. Kindly, please sign, change mailing address and date the documents and fax it to my attention at the fax number above. Please mail the original to our office.

Thank you kind.

CONFIDENTIALITY NOTICE

the intended recipient, or the employee responsible for delivering it to the intended recipient, you are hereby notified that any copying or dissemination of this facsimile, or the taking of any action related to the contents of this information is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the entire facsimile to the above address.

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08 2002 07:09AM P3

Jul-08-2002 03:33am From

Atty. Okt. PMS 0265292 HAMY422003
MW Client Ref.

Please return algred/recorded to: Piliabury Winthrep LLP Intellectual Property Group 1600 Tyeons Boulevard McLean, VA 22102

ASSIGNMENT of U.S. Origin Patent Application

WHEREAS, the undersigned, to wit:

1) Myun K. HAN	2) Paul LEE
3)	4)
5)	6)
7)	8)
(hereinafter collectively ASSIGNOR), has/have made a and entitled: Compounds Obtained From Salvia Spe	an invention known as Dkt. 265292 ecles Having Antiviral Activity
for which an application for I etters Patent of the United	
☑ was filed on December 26, 2001 , Appln. No.	10/018,972 ;
AND WHEREAS Georgetown University	·
(hereinafter ASSIGNEE), duly organized and existing	under the laws of the State of
and having its principal office and place of business at	t 4000 Reservoir Rd., NW, Washington, DC 20007
desires to acquire an interest therein;	

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the international Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its Interest as ASSIGNEE, its successors, assigns and legal representatives.

PAT-11@ 101

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hereby transferred.

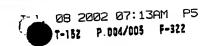
AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

NOTE: The undersigned hereby authorizes Pilisbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Signature	Date Signed	Wilness
1) Name: Myun K. HAN	7/8/2002	
2) Name: Paul LEE		
3) Name:		
4) Name:		
5) Name:		
6) Name:		
7) Name:		
В)		
Name:		

FAX NO. :3015727568



FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT

RULE 63 (37 C.F.R. 1.82) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

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PILLSBURY WINTHROP



GEORGETOWN UNIVERSITY

The Office of Technology Transfer 4000 Reservoir Road NW Building D, Suite 103 Washington, DC 20007

> 202-687-0843 Tel. 202-687-3111 fax

e-mail: alcocers@.georgetown.edu

FACSIMILE COVER SHEET

DATE:

July 10, 2002

NO. OF PAGES:

(INCLUDING COVER SHEET)

TO:

Robin L. Teskin

PILLSBURY WINTHROP, LLP

FAX:

703-905-2000

PHONE:

703-905-2200

FROM:

Silvana Alcocer

Legal Assistant

RE:

U.S. National Stage Patent Application 10/018,972

Based on PCT/US01/17394 filed December 26, 2001

Inventors: HAN et al. Our Ref: HAMY42203 Your Ref: 82137-265292

COMMENTS: Attached, please find a Declaration/Power of Attorney and Assignment documents of the above-referenced application signed by Paul Lee. Kindly, please note that Dr. Han only signed the Assignment document without a witness. Please file a petition for the power of attorney document. An original will follow via FedEx today. Should you have any questions, please let us know.

Warm regards,

CONFIDENTIALITY NOTICE

the intended recipient, or the employee responsible for delivering it to the intended recipient, you are hereby notified that any copying or dissemination of this facsimile, or the taking of any action related to the contents of this information is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the entire facsimile to the above address.

Please return signed/recorded to: Pillsbury Winthrop LLP Intellectual Property Group 1600 Tysons Boulevard McLean, VA 22102

Atty. Dkt.	PMS 0265292	HAMY422003
, as,	M#	Client Ref.

ASSIGNMENT of U.S. Origin Patent Application

WHEREAS, the undersigned, to wit:

1) Myun K. HAN	2) Paul LEE
3)	4)
5)	6)
	8)
7) (hereinafter collectively ASSIGNOR), has/have made and entitled: Compounds Obtained From Salvia Spe	an invention known as Dkt. 265292 ecles Having Antiviral Activity
for which an application for Letters Patent of the Unite	ed States be filed in the United States Patent and Trademark Office;
AND WHEREAS Georgetown University	-
hereinefter ASSIGNEE), duly organized and existing	under the laws of the State of
and having its principal office and place of business a	at 4000 Reservoir Rd., NW, Washington, DC 20007
desires to acquire an interest therein;	

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, ne receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid pplication, and to the said application and to all continuations, divisions, reissues and substitutes of said pplication, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and equests the Commissioner of Patents to Issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, successors, assigns and legal representatives.

PAT-1148 1/01

hereby transferred.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filling and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

NOTE: The undersigned hereby authorizes Pillsbury Winthrop LLP of the above address to Insert nereon any further identification necessary or desirable for recordation of this document.

<u> 3ignature</u>	<u>Date Signed</u>	Witness
Name: Myun K. HAN Name: Paul LEE	7/16/02	Silvana Alcocer
Name:		
Name:		
i) Name:		
Name:		
Name:		
Name:		

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T-159 P.004/006 F-337

T-182 P.003/005 F-122

AND ABBIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ABBIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE;

NOTE: The undersigned hereby authorizes Pilisbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

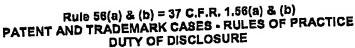
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1) -	Name: Myun K. HAN	7/8/2002	
2) _	Name: Paul LEE		
3}	Name:		
4)	Name:	<u> </u>	
5)	Name:		
6)	Name:		
7)	Name:		
8)	Name:		

FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT CIP/PCT NATIONAL/PLANT

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY

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FORU	TILITY/DESIGN	DECLAR	OR PATENT APPLICA	TION	
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... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all (a) information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

Conditions for patentability; novelty and loss of right to patent

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- he has abandoned the invention, or
- the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent In this country on an application for patent or inventor's certificate filed more than twelve months' before the filing of the application in the United States, or

the invention was described in

- an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined (1) In section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the (2) purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or
- he did not himself invent the subject matter sought to be patented, or
- during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention (g) (1) thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or before such person's invention thereof, the invention was made in this country by another inventor who
 - had not abandoned, suppressed, or concealed it. In determining priority of invention under this (2)subsection there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . .

(c) Subject matter developed by another person, which qualified as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by

the same person or subject to an obligation of assignment to the same person.

^{*} Six months for Design Applications (35 U.S.C. 172).

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PATENT APPLICATIONS & PATENTS ONLY						
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ADDRESS: 4000 Reserv	oir Road., NW, Was	shington, DC 20007	•			
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Please return signed/recorded to: Pillsbury Winthrop LLP Intellectual Property Group 1600 Tysons Boulevard McLean, VA 22102 Atty. Dkt. P0265292 HAMY422003
M# Client Ref.

ASSIGNMENT of U.S. Origin Patent Application

WHEREAS, the undersigned, to wit:



1) Myun K. HAN	2) Paul LEE
3)	4)
5)	6)
7)	8)
(hereinafter collectively ASSIGNOR), has/have made	e an invention known as Dkt. 265292
and entitled: Compounds Obtained From Salvia Sp	pecies Having Antiviral Activity
for which an application for Letters Patent of the Unit	ed States
$\hfill \square$ was executed even date herewith and is about to	be filed in the United States Patent and Trademark Office;
⊠ was filed on December 26, 2001 , Appln. No.	10/018,972 ;
AND WHEREAS Georgetown University	
(hereinafter ASSIGNEE), duly organized and existing	g under the laws of the State of
and having its principal office and place of business	at 4000 Reservoir Rd., NW, Washington, DC 20007
desires to acquire an interest therein:	

NOW, THEREFORE, in consideration of Ten Dollars (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

NOTE: The undersigned hereby authorizes Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

<u>Signature</u>	Date Signed	Witness
1)		
Name: Myun K. HAN 2)	- /. / -	
Name: Paul LEE	7/16/02	Silvana Alcocer
3)		
Name:	-	
4)		
Name:		
Name:		
3)		
Name:		
7)		
Name:		
3)	_	
Name:		



AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE:

NOTE: The undersigned hereby authorizes Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

<u> Sìor</u>	<u>nature</u>	Date Signed	Witness
1) .	Name: Myun K. HAN	7/8/2002	
2)			
-	Name: Paul LEE		
3)			
•	Name:		
4)			
•	Name:		
5)			
•	Name:	W	
6)			
	Name:		
7)			
_	Name:	**************************************	
8)			
	Name:	· · · · · · · · · · · · · · · · · · ·	